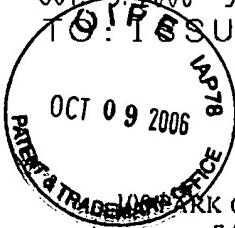


OCT 9 2006 3:37PM ZILKA-KOTAB, PC

NO. 4326 P. 1

TO ISSUE FEES



ZILKA-KOTAB  
PC  
ZILKA, KOTAB & PEERCEH

100 PARK CENTER PLAZA, SUITE 300  
SAN JOSE, CA 95113

TELEPHONE (408) 971-2573  
FAX (408) 971-4660

FAX COVER SHEET

Date:	October 9, 2006	Phone Number	Fax Number
To:	(571) 273-2885		
From:	Kevin J. Zilka		

Docket No.: NAIIP453/01.123.01

App. No: 10/003,265

Total Number of Pages Being Transmitted, Including Cover Sheet: 08

Message:

Please deliver to the Issue Fee Division.

Thank you,

Kevin J. Zilka

Original to follow Via Regular Mail  Original will Not be Sent  Original will follow Via Overnight Courier

\*\*\*\*\*  
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ANY OTHER DIFFICULTY, PLEASE PHONE Erica  
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

October 1 2006

OCT. 9. 2006 3:37PM ZILKA-KOTAB, PC

NO. 4326 P. 2



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Wolff et al.

Application No. 10/003,265

Filed: December 06, 2001

For: TECHNIQUES FOR PERFORMING)  
MALWARE SCANNING OF FILES STORED)  
WITHIN A FILE STORAGE DEVICE OF A)  
COMPUTER NETWORK)

) Examiner: Brown, Christopher J.

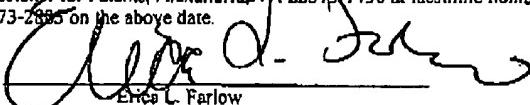
) Art Unit: 2134

) Date: October 9, 2006

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the  
Commissioner for Patents, Alexandria, VA 22313-1450 at facsimile number:  
(571) 273-2885 on the above date.

Signed:

  
Eric L. Farlow

Issue Fee Payment Transmittal

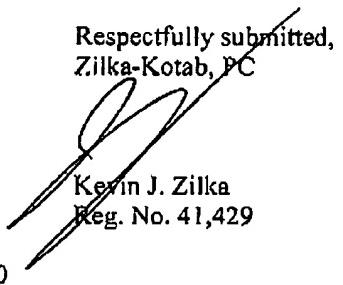
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following items:

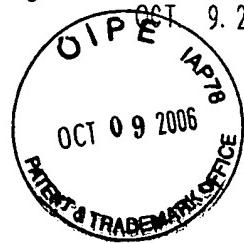
- 1) Comments on Statement of Reasons for Allowance
- 2) Part B- Issue Fee Transmittal

Respectfully submitted,  
Zilka-Kotab, PC

  
Kevin J. Zilka  
Reg. No. 41,429

P.O. Box 721120  
San Jose, CA 95172-1120  
(408) 971-2573

Attorney Docket No. NAIIP453/01.123.01



OCT 9 2006 3:37PM ZILKA-KOTAB, PC

NO. 4326 P. 3

-1-

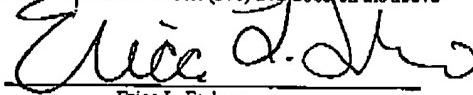
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of )  
Wolff et al. ) Examiner: Brown, Christopher J.  
Application No. 10/003,265 ) Art Unit: 2134  
Filed: December 06, 2001 )  
For: TECHNIQUES FOR PERFORMING ) Date: October 9, 2006  
MALWARE SCANNING OF FILES STORED )  
WITHIN A FILE STORAGE DEVICE OF A )  
COMPUTER NETWORK )

**CERTIFICATE OF FAXCIMILE**

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Alexandria, VA 22313-1450 at facsimile number: (571) 273-2885 on the above date.

Signed:   
Erica L. Farlow

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowance mailed July 14, 2006, please enter the following:

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REMARKS

The Examiner has stated in the Examiner's Statement of Reasons for Allowance the following: "Cuomo fails to teach access authentication at the storage device," and "Cuomo does not teach routing traffic if a proxy fails." The Examiner has also stated the following: "[Garg] fails to teach access authentication," and "Garg does not teach routing traffic if a proxy fails." In response, applicant points out that at least some of the independent claims are not limited to "access authentication" or "routing traffic," as the Examiner has noted.

Further, the Examiner has stated in the Examiner's Statement of Reasons for Allowance the following: "[Anglin] fails to teach providing access to the client" and "Anglin does not teach routing traffic if a proxy fails." In response, applicant points out that at least some of the independent claims are not limited to "routing traffic if a proxy fails," as noted by the Examiner, for similar reasons argued above with respect to the comments regarding the Cuomo and Garg references. In addition, applicant also points out that at least some of the independent claims are not limited to "providing access to the client," as noted by the Examiner (emphasis added).

Still yet, the Examiner has stated in the Examiner's Statement of Reasons for Allowance the following: "[t]hus the proxy does not send the file access request with access request attributes, but only forwards the access request attribute to the file storage device, and holds the actual access request until validation is received from the file storage device" which "distinguishes the present invention over the current art of record." In response, applicant points out that the independent claims are not limited to the proxy "holding[ing] the actual access request until validation is received from the file storage device," as noted by the Examiner (emphasis added).

Clearly, the foregoing independent claims are not limited to each of the features that the Examiner has noted above in the Examiner's Statement of Reasons for

-3-

Allowance, as emphasized above. Instead, each of the claims should only be limited by the language existing therein.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. For payment of the fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1351 (Order No. NAI1P453/01.123.01).

Respectfully submitted,  
Zilka-Kotab, P.C.

Kevin J. Zilka  
Registration No. 41,429

P.O. Box 721120  
San Jose, CA 95172-1120  
Telephone: (408) 505-5100



ZILKA-KOTAB, PC

NO. 4326 P. 8 of 1

Erica Farlow

*10/14 low Due*

**From:** Kevin J. Zilka [mailto:[kevin@zilkakotab.com](mailto:kevin@zilkakotab.com)]  
**Sent:** Wednesday, August 16, 2006 7:35 AM  
**To:** Erica@ZilkaKotab.com  
**Subject:** FW: NAI1P453\_01.123.01\_NOA

Kevin J. Zilka  
Cell/Direct: (408) 505-5100  
Fax: (408) 971-4660

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**From:** Christopher\_Hamaty@McAfee.com [mailto:[Christopher\\_Hamaty@McAfee.com](mailto:Christopher_Hamaty@McAfee.com)]  
**Sent:** Wednesday, August 16, 2006 7:12 AM  
**To:** Kevin J. Zilka  
**Subject:** RE: NAI1P453\_01.123.01\_NOA

Please pay the issue fee. We will not be filing a continuation.

Christopher J. Hamaty  
Assistant General Counsel for IP  
McAfee, Inc.  
972.983.7346

-----Original Message-----

**From:** Kevin J. Zilka [mailto:[kevin@zilkakotab.com](mailto:kevin@zilkakotab.com)]  
**Sent:** Tuesday, August 15, 2006 9:06 PM  
**To:** Hamaty, Christopher  
**Subject:** NAI1P453\_01.123.01\_NOA

Chris,

I am happy to report the attached notice of allowance on the above matter.

After reviewing this case, I can not think of a particular reason for filing a continuation.

I look forward to receiving your issue fee payment/continuation instructions.

Thanks,

Kevin

Kevin J. Zilka  
Cell/Direct: (408) 505-5100  
Fax: (408) 971-4660